



Department Description

The Ethics Commission is an independent City entity responsible for monitoring, administering, and enforcing the City's governmental ethics laws which include the City's campaign laws, lobbying laws, and ethics laws. The Ethics Commission conducts audits and investigations, provides formal and informal advice to persons who fall within its jurisdiction, conducts live training sessions, administers online training programs, and proposes governmental ethics law reforms.

The Department's mission is:

To preserve public confidence in City government through education, advice, and the prompt and fair enforcement of local government ethics laws

Goals and Objectives

The following goals and objectives represent the action plan for the Department:

Goal 1: Educate City officials, City candidates, and lobbyists about the various provisions in the City's governmental ethics laws

The Department will move toward accomplishing this goal by focusing on the following objectives:

- Provide prompt informal advice via telephone and email
- Issue formal advisory opinions
- Prepare and disseminate educational materials such as fact sheets
- Conduct live and online training courses on the Ethics Ordinance for City officials
- Conduct live training courses on the Election Campaign Control Ordinance for City candidates
- Conduct live training courses on the Lobbying Ordinance for lobbyists

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Goal 2: Ensure compliance with the City's governmental ethics laws through audit and enforcement activities

The Department will move toward accomplishing this goal by focusing on the following objectives:

- Conduct efficient and thorough investigations into alleged violations of the City's ethics laws, campaign laws, and lobbying laws
- Conduct compliance audits of City candidate and ballot measure committees

Goal 3: Propose legislative amendments to ensure that the City's governmental ethics laws are effective in preventing corruption and the appearance of corruption

The Department will move toward accomplishing this goal by focusing on the following objectives:

- Review existing laws, receive public input, and study laws in other jurisdictions
- Prepare proposed legislative amendments for City Council approval

Service Efforts and Accomplishments

The Ethics Commission received a total of 106 complaints during Calendar Year 2010 and approved 58 of these matters for formal investigation. The investigations conducted by Commission staff resulted in 17 stipulated settlement agreements and two Administrative Enforcement Orders involving fines totaling \$55,900. With respect to its audit program, the Commission completed the audits of nine candidate committees from the 2008 election cycle.

During Fiscal Year 2011, the Commission continued to make education and outreach a priority. The Commission staff conducted numerous live training sessions for City Officials, candidates, and lobbyists. In addition, the Commission staff responded to hundreds of requests for informal advice and issued several formal advice letters. Finally, the staff prepared and updated various educational materials including fact sheets and manuals for candidates and lobbyists.

The Ethics Commission staff worked extensively with the City's outside counsel defending a lawsuit brought by several plaintiffs (Phil Thalheimer, et al.) challenging the City's campaign laws. The Commission issued bulletins concerning the impacts of this litigation on the laws governing the 2010 election cycle. In addition, after the District Court directed the City to adopt appropriate limits for contributions from political parties to City candidates, the Commission studied the issue and recommended that the City Council adopt a \$1,000 contribution limit for political parties. This limit was approved by the City Council on April 27, 2010, and went into effect on June 17, 2010. The parties to the litigation appealed the lower court rulings to the Ninth Circuit Court of Appeals and are currently awaiting a decision.

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Department Summary

		FY2011 Budget		FY2012 Adopted		FY2011–2012 Change
Positions		6.00		6.00		0.00
Personnel Expenditures	\$	842,207	\$	653,426	\$	(188,781)
Non-Personnel Expenditures		54,656		261,544		206,888
Total Department Expenditures	\$	896,863	\$	914,970	\$	18,107
Total Department Revenue	\$	-	\$	-	\$	-

General Fund

Department Expenditures

		FY2011 Budget		FY2012 Adopted		FY2011–2012 Change
Ethics Commission	\$	896,863	\$	914,970	\$	18,107
Total	\$	896,863	\$	914,970	\$	18,107

Department Personnel

		FY2011 Budget		FY2012 Adopted		FY2011–2012 Change
Ethics Commission		6.00		6.00		0.00
Total		6.00		6.00		0.00

Significant Budget Adjustments

	FTE	Expenditures	Revenue
Adjustment to Professional Services Funding Increase in non-personnel expenditures to support consulting services, administrative hearings, and attorneys with specific expertise for hearings and enforcement-related issues. Funds previously budgeted for a full-time General Counsel position will be used for this funding increase.	0.00	\$ 207,142	\$ -
Equipment/Support for Information Technology Funding allocated according to a zero-based annual review of information technology funding requirements and priority analyses.	0.00	14,124	-
Non-Discretionary Adjustment Total expenditure allocations that are determined outside of the department's direct control. These allocations are generally based on prior year expenditure trends and examples of these include utilities, insurance, and rent.	0.00	7,155	-
Reduction in Travel and Training Reduction of travel and training expenditures.	0.00	(1,985)	-
Reduction in Supplies and Contracts Additional reduction of supplies and contracts expenditures after a review of prior year spending trends.	0.00	(3,183)	-
Total	0.00	\$ 223,253	\$ -

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Expenditures by Category

		FY2011 Budget		FY2012 Adopted		FY2011-2012 Change
PERSONNEL						
Salaries and Wages	\$	514,568	\$	392,829	\$	(121,739)
Fringe Benefits		327,639		260,597		(67,042)
PERSONNEL SUBTOTAL	\$	842,207	\$	653,426	\$	(188,781)
NON-PERSONNEL						
Supplies	\$	8,000	\$	5,817	\$	(2,183)
Contracts		23,826		234,681		210,855
Information Technology		16,365		14,124		(2,241)
Energy and Utilities		-		299		299
Other		5,000		5,158		158
Capital Expenditures		1,465		1,465		-
NON-PERSONNEL SUBTOTAL	\$	54,656	\$	261,544	\$	206,888
Total	\$	896,863	\$	914,970	\$	18,107

Personnel Expenditures

Job Number	Job Class	Job Title / Wages	FY2011 Budget	FY2012 Adopted	Salary Range	Total
Salaries and Wages						
20000867	1842A	Accountant 2	1.00	1.00	\$54,059 - \$65,333	\$ 65,660
20001220	2268	Executive Director	1.00	1.00	46,966 - 172,744	106,941
20000924	1876	Executive Secretary	1.00	1.00	43,555 - 52,666	51,349
20001153	2197	General Counsel	1.00	1.00	17,805 - 204,214	-
20001222	2270	Program Manager	1.00	1.00	46,966 - 172,744	91,179
20000933	1885	Senior City Attorney Investigator	1.00	1.00	63,794 - 77,314	77,700
Salaries and Wages Subtotal			6.00	6.00		\$ 392,829
Fringe Benefits						
		Employee Offset Savings				\$ 8,080
		Flexible Benefits				38,220
		Long-Term Disability				2,277
		Medicare				5,794
		Other Post-Employment Benefits				30,205
		Retirement ARC				148,396
		Retirement Offset Contribution				781
		Risk Management Administration				5,015
		Supplemental Pension Savings Plan				16,316
		Unemployment Insurance				1,518
		Workers' Compensation				3,995
Fringe Benefits Subtotal						\$ 260,597
Total Personnel Expenditures						\$ 653,426